

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

MEDCO ENERGY U S L L C

CASE NO. 2:23-CV-01755

VERSUS

JUDGE JAMES D. CAIN, JR.

DEBRA HAALAND ET AL

MAGISTRATE JUDGE CAROL B.
WHITEHURST

MEMORANDUM ORDER

This suit filed under the Administrative Procedures Act, 5 U.S.C. § 701 *et seq.*, is presently before the court on cross-motions for summary judgment. Docs. 25, 27. Plaintiff has requested within its Motion for Summary Judgment [doc. 25] that the court take judicial notice of certain extra-record evidence on which it now relies. The government objects. Doc. 27. The court cannot review the merits of the parties' motions until the request for judicial notice¹ is fully briefed.


Accordingly, **IT IS ORDERED** that plaintiff file its motion relating to its request for judicial notice on or before January 21, 2025. Response and reply deadlines will then be set via Notice of Motion setting and the court will rule on plaintiff's request before considering the parties' cross-motions for summary judgment.

IT IS FURTHER ORDERED that plaintiff address within this motion its failure to raise these issues with the "scope or content of the administrative record" within the

¹ Plaintiff indicated in its motion that it would "file a separate Motion subsequent to this Summary Judgment Briefing to formally request that the Court consider these documents." Doc. 25, p. 13. It did not set a deadline for this filing, however.

deadlines set under the parties' agreed Scheduling Order. Doc. 16. Plaintiff should also address whether additional briefing is required in the event the court decides not to consider the extra-record evidence.

THUS DONE AND SIGNED in Chambers on the 3rd day of January, 2025.



JAMES D. CAIN, JR.
UNITED STATES DISTRICT JUDGE